

Justice Seabury, before whom the case is being tried, told the jurors that they must consider the testimony of the witness as that of an insane person.

Previously, on the demand of counsel for Anhalt, Mr. De Ford had read to the jury the indictment charging Thaw with killing Stanford White.

Thaw was brisk and alert as he entered the courtroom and made his way to the witness chair that had been the center of attraction for him for many weary weeks and on his way there, he was big and splendidly dressed, he carried the expression of his eyes, his endeavor to appear calm and to be clear in his answers was apparent. Only once did he break out in a voluntary statement and he frequently consulted with the Court.

Thaw's direct testimony was in substance that Anhalt recommended to him by Dr. Russell, visited him at Matteson and volunteered to get him out for \$25,000. Of this sum Dr. Russell was to get \$20,000 and Anhalt \$5,000, according to Anhalt. An agreement was entered into and Thaw turned over to Anhalt through his sister, Mrs. George Carnegie, and his confidential agent, Arthur Hoffman, \$20,000 in securities and \$5,000 in cash.

THAW NOT COHERENT GIVING TESTIMONY.

The witness was not always coherent. It was necessary for the stenographer to repeat many of his answers. At the close of his direct testimony, he said:

"I thought I was justified in dealing with Anhalt because I had been told that another, whose case was similar to mine, had been released. Anhalt agreed to return half the \$25,000 if I was still in the asylum on Jan. 1 of this year, and the remainder if I was still there on July 1."

Arthur C. Palmer, counsel for the defense, started at Thaw's hammer and tongue on cross-examination. His first question was:

"You are the same Harry K. Thaw that shot to death Stanford White, aren't you?"

Thaw gripped the arms of the chair and his face flushed. He leaned forward and snapped at Palmer:

"That is not my name."

"What is your name?"

"My name is Henry K. Thaw."

"But you are the man who shot Stanford White to death, aren't you?"

Thaw looked at the judge and at Mr. De Ford. No objection was interposed on his behalf. In a voice audible only to the stenographer he replied:

"Yes."

"And when you shot him didn't you know you were shooting a defenseless man?"

"I refuse to answer that question," announced Thaw after he had looked appealingly at the Court and at the District Attorney.

"On what ground?"

"On the ground that my position here is that of a witness," answered Thaw quickly.

Mr. De Ford jumped up and said he thought the answer was sufficient. Justice Seabury agreed with him and Thaw's face relaxed into a broad grin. He was visibly relieved under oath he had even momentarily, balked the cross-examiner.

The defense, as outlined by Arthur C. Palmer, counsel for Anhalt, is that the defendant is on trial in violation of his constitutional rights on the ground that he secured immunity when he voluntarily testified under oath before a commission appointed by Gov. Sulzer to investigate the Thaw scandal. Motions to dismiss the indictment in accordance with the contention of the defense were overruled.

ANHALT'S LAWYER ASKED FOR A MISTRIAL.

Mr. De Ford in his opening address said the State would prove that Anhalt, acting for Thaw, offered Dr. Russell \$25,000 to sign a certificate stating that Thaw was sane and should be released. In the course of his address Mr. De Ford stated that Dr. Russell, who is no longer connected with the asylum, could have turned Thaw loose on his own responsibility.

Mr. Palmer challenged this statement and Mr. De Ford admitted that Dr. Russell would have had to get a court to confirm his order of release. Mr. Palmer asked that a juror be discharged and a mistrial be called, but he was overruled.

The District Attorney said that Anhalt, who was not admitted to the bar until last November, was employed at the Karlova Arms Hotel, near White Plains, while Thaw's fourth habeas corpus hearing was on last June and July. Dr. Russell, in attendance at the hearing as a witness, stopped at the same hotel and became friendly with Anhalt.

On September 29th Mr. De Ford said. They told Dr. Russell he wanted a lawyer to institute some proceedings in connection with a claim that had been filed against him by Clifford Harridge, one of the lawyers for the defense in the second murder trial. Dr. Russell recommended Anhalt but Anhalt did not meet Thaw until November 2d.

Anhalt, according to Mr. De Ford, told Thaw, he could get him out of the asylum for \$25,000. Thaw demurred at the price, but Anhalt persuaded him it would be money well spent. Anhalt was to get \$5,000 and said he would have to give the other \$20,000 to Dr. Russell.

RELEASE OR MONEY WAS TO BE RETURNED.

The State alleges that Thaw agreed to put up \$20,000 in securities and \$5,000 in cash with Anhalt. If Anhalt was not released before Jan. 1, 1915, Anhalt was to return half the money, and if the release was not brought about by July 1, 1915, the balance was to be returned.

Through Thaw's confidential agent, Hoffman, Mrs. George Carnegie, Thaw's sister, gave Anhalt \$20,000 worth of Consolidated Gas bonds and five \$5,000 bills. Anhalt and Dr. Russell met in New York several times, and on two occasions Anhalt offered Dr. Russell \$20,000 to sign an order releasing Thaw. Anhalt further declared, according to Mr. De Ford, that Thaw would pay Dr. Russell \$25,000 a year until he could get settled again in case he should lose his place. Dr. Russell declined to go into the matter and Thaw got part of his money back on Jan. 1.

OUTGOING STEAMSHIPS.

SAILED FOR:

City of London, City of New York, City of San Francisco, City of Seattle, City of Tacoma, City of Vancouver, City of Victoria, City of Yokohama.

JURY IN THE ANHUT TRIAL SECURED IN 90 MINUTES

William S. English, manager, No. 101 West Forty-eighth street; foreman.

William C. Betts, director, No. 4 West Eighty-third street.

Jacob Stern, No. 28 West Eighty-second street.

Frederick W. Many, jewelry, No. 12 West One Hundred and Twenty-fifth street.

George B. Steinberger, real estate, No. 128 St. Nicholas avenue.

Eugene Fuller, civil engineer, No. 308 West One Hundred and Fortieth street.

Stanley H. Stead, cotton merchant, No. 124 West Eighty-seventh street.

Louis E. Smith, salesman, No. 10 Claremont avenue.

Charles T. Hannah, insurance, No. 101 East Eighty-ninth street.

Richard Rott, manager, No. 4 East Sixtieth street.

John G. Taylor, manufacturer, No. 23 West One Hundred and Thirty-sixth street.

Henry L. Piny, salesman, No. 626 West One Hundred and Sixtieth street.

TWO 'FRISCO GIRLS MUST GO TO COURT ON SMUGGLING CHARGE

Miss Tillman Declared \$750 and Appraisers Fix Value at \$4,000.

TRENTON, N. J., May 18.—The Misses Agnes Mangala and Agnes Tillman of San Francisco, who reached New York on May 12 on the steamship America, have been cited by United States District Attorney Vreeland of the New Jersey District, to appear in the Federal Court here Monday to face charges of smuggling.

The girls and jewels of the young women were seized by customs authorities and the charges are contained in a report made to Collector Loeb after a two-day investigation.

On Monday to declare proper value of goods brought from abroad is the basis of the charges. Miss Tillman declared dutiable articles valued at \$750, according to her own estimation. The appraisers placed their value at \$4,000, however, after making liberal allowance for wear. The total value of \$24,000 placed on all the property seized includes the duty for importing it. The seizure includes property of Miss Tillman's mother.

SAN FRANCISCO, May 18.—Four hundred thousand pounds of frozen Australian beef and mutton, the first shipment of its kind to the Pacific coast, were landed here today from the steamer Tahiti. The meat was sold in Australia with the understanding that only a nominal profit should be made here. If the agreement is violated, Australia will ship direct, eliminating the middleman's profit and assuming all the risk.

An immediate fall in prices is expected. California and the Pacific Coast States are most raised with the Rocky Mountains and comparative tables show that the average of prices is higher here than in Chicago. In an effort toward reduction, independent dealers arranged for the Australian shipment.

AUSTRALIAN BEEF TO 'FRISCO EXPECTED TO CUT PRICES

U. S. TO SEND TEAM TO GREECE NEXT YEAR.

James E. Sullivan, Secretary of the Amateur Athletic Union, announced today that the United States would send an athletic team to the Olympic games to be held at Athens, Greece, during the spring of 1916. This team belongs to the "local cycle" of Olympic games and can be held only in Greece. It has no bearing on the "International Cycle" of events, the next of which is scheduled for Berlin in 1916.

It is believed by members of the American Olympic Committee that the Athens games will take place during either May or June. If such proves to be the case a team of between twenty and thirty athletes will be entered. The majority of the entrants will be athletic club stars. Since the college track and field performers will not be available at such an early date. The team will sail about a month previous to the games and will be in charge of one or more members of the committee and an officially appointed trainer.

JAPANESE EXPECT FRIENDLY SETTLEMENT

TOKIO, May 18.—The Japanese Foreign Office is optimistic as to the outcome of the controversy over the California Alien Land Ownership legislation. In reply to an inquiry today it was stated by a high official that:

"The negotiations between Japan and the United States are progressing satisfactorily. We expect to reach a friendly and permanent solution of the difficulty."

SULZER VETOES 26 BILLS

ALBANY, May 18.—Gov. Sulzer today vetoed twenty-six bills. Several were disapproved because the Governor believes the objects sought can be accomplished under the new home rule law.

Others included: Senator Herriotti's, designed to refund more than \$600,000 in cases of bankruptcy; one designed to have been paid erroneously; Senator Brown, proposing the extension to rural communities of the facilities for high school education, including agriculture. Mr. Silverstein's, designed to prohibit the operation of horse cars in first-class cities. Mr. Bryant's, proposed to incorporate the city of Buffalo.

I. W. W. HOLDS UP SETTLEMENT OF BARBERS' STRIKE

Leader of Organizations Puts Stop to Agreement Almost Effected.

FEAR MORE VIOLENCE.

Many Shops Are Closed Because of Threats of Angry Razor Welders.

Though representatives of four associations of master barbers, who control 4,000 shops in the Greater City and employ 12,000 men, agreed unanimously this afternoon to all of the demands of the striking journeymen, Frank Cancellieri, the Industrial Workers of the World leader, refused flatly to come to terms.

The I. W. W. leader, seeing an opportunity to end the strike immediately at hand, seized the opportunity to prolong it by declaring the strikers would not agree to terms that were not agreed to by all of the master barbers.

This, according to John J. Bealin and Col. Michael J. Regan, the State Board of Mediation members in the conference, is impossible at present, and they say Cancellieri has thrown the strike situation back from the possibility of speedy settlement to original confusion.

The reports of rioting in the neighborhood of barber shops which refused to obey the general strike order ceased today for a time. The number of shops remaining open has become so small that it is possible for the police to concentrate on them and give them something like real protection.

A shop in West Broadway near Bleeker street was attacked this afternoon. A Mercer street policeman saw a man throw a brick which missed the shop window and arrested him.

Nearly a hundred shops were terrorized last night to the extent that they did not reopen their doors today. One of these was the Police Headquarters barber shop, opposite the police office, which was wrecked before Capt. Kinler and a squad of men could get across the street.

Dark threats were made at the West Thirty-ninth street I. W. W. headquarters that something frightful might happen to the hotel barber shops if the men employed in them insisted on working. There seemed to be a grim resolve on the presence of the firebrand editor, who was accused of murder after the strike at Lawrence, Mass., last year.

PORTERS KEEP WATCH AT HOTEL DOORS.

Before they can damage property in any hotel barber shop or lay hands on a working barber, however, the strikers must get into the hotel. Big porters stand at all the doors ready to hustle anybody who looks like a barber. The Hermitage Hotel is the only one so far from which any men have been taken. They were waylaid on the outside and frightened.

The strike is quite without organization. The I. W. W. has seven headquarters in various parts of the city where new members may be enrolled and fiery speeches are made. But they are not connected with each other and the only sign of management comes when a particularly scintillating speech is made by a trained I. W. W. orator starts a raiding gang off to find and smash the windows of a shop where it is reported that anybody except the proprietor is at work.

UPSTAIRS SHOPS ARE ONLY ONE SAFE.

The few shops on town which enjoy the best protection are those which are a floor or two above the street and are protected by private watchmen at the entrance of the building who shoot away any turbulent looking committee. Patrons of such shops have no fear of being or flying glass or the consequent serious injury of the man who is wielding the razor.

A committee of I. W. W. members went to Police Headquarters today to ask for a permit to march from Columbus Circle to Union Square today for 17,000 men.

ONE KILLED IN AUTO CRASH.

Machines Collide in Mount Vernon With Fatal Result.

MOUNT VERNON, N. Y., May 18.—Carroll Livingston is making an investigation of an automobile accident, which occurred here last evening, and resulted, later in the night, in the death of one of the drivers of the cars in the collision.

The victim was William R. Griffith of No. 41 North First avenue, this city. His automobile was in collision with one driven by L. Leroy Lee, nineteen years old, of No. 4 South Tarrytown avenue. The crash took place at North Fourth avenue and West Sydney avenue. See was unhurt except for bruises and shock.

Griffith died without regaining consciousness. Coroner Livingston has postponed the inquest until Saturday afternoon, when he is to appear for formal arraignment.

PAINTERS DROP 40 FEET AND BOTH MAY DIE.

Carl Adler and Manuel Oswald, painters, of No. 9 Matthew Place, Brooklyn, fell forty feet today when the rope of their scaffold broke. They were at work near the roof of a house at No. 28 East Seventh street. Plumber, Dr. Rynd carried them to Kings County Hospital. It is thought both will die. Adler had a hip dislocated and got internal injuries and Oswald had one arm and leg, his jaw and his skull fractured.

WIFE OF WEALTHY LAWYER WHO WILL NOT BE RECONCILED.



MRS. FLORENCE BAUCHE

STARTS FOR RENO TO DIVORCE HEIR OF LICORICE KING

Wife of Lawyer Bauchle, Daughter of Franklin Fyles, Refuses to Be Reconciled.

George Young Bauchle, the wealthy young lawyer, first nighter and sportsman, and his wife, who is the daughter of the late Franklin Fyles, critic and dramatist, have found their temperaments so different Mrs. Bauchle has gone to Reno to obtain a divorce.

George Gordon Bauchle, attorney for the wife, declined to discuss the matter. Today Mr. Bauchle admitted he had heard the story, but had no definite information. It is understood that she went under an assumed name to escape notoriety and will remain a resident of the Western State, with the possible exception of occasional visits, until she has availed herself of her wider statutes and is free.

After their marriage in 1907 Mr. and Mrs. Bauchle were lavish entertainers. They could not agree, however, and for some months before their separation last October they lived under the same roof in West Seventy-seventh street without speaking, and recognizing each other by the most formal bows.

The matter became public when Mr. Bauchle published the usual legal notice that he would be responsible for no one's debts other than his own. Subsequent efforts to bring about a reconciliation failed. A temporary agreement was reached providing for Mrs. Bauchle, but neither found this satisfactory.

Mr. Bauchle is a grandson of George Young of Young & Smiley, licorice manufacturers. The firm sold out to the Tobacco Trust. When George Young died in 1904 his will made his grandson and namesake—George Young Bauchle—his chief heir. Another highly favored in the disposal of the Young fortune was Mr. Bauchle's daughter, now eight years old. She is the child of his first wife, who was Miss Moon of Brooklyn, and who died five years after her marriage in 1901.

It was said today that Mr. Bauchle would not oppose his wife's wishes in the matter of a divorce, and rumor placed the amount he was willing to settle on her at \$100,000. It is understood that in the Nevada action no alimony will be asked for, and that money arrangements will be amicably settled.

\$500,000 TO COAL MINERS IS AWARDED AS BACK PAY.

Labor Expert Neill, as Umpire, Declines in Favor of Anthracite Workers.

HAZLETON, Pa., May 18.—About \$500,000 in back pay will be given anthracite mine workers as a result of decisions rendered today by Charles P. Neill, former United States Commissioner of Labor, as umpire on deadlocked questions submitted to him by the Anthracite Conciliation Board. The miners won a victory in three of four cases submitted to the umpire.

The principal decision in which the men were awarded back pay sustained the contention of the mine workers that they were entitled to the 7 per cent bonus under the sliding scale for March, 1915, the last month the old sliding scale was in operation. Under the new agreement entered into between the coal companies and the men the sliding scale was abolished April 1 last year.

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TAXICAB STARTER AT HOTEL STAND IS FINED FOR ABUSES

Charles M. Morgan at Knickerbocker Tried to Force Manufacturer Into Trust Car.

LAWSON MADE A FIGHT.

Had to Take Case to Waldo Twice Before He Got Any Satisfaction.

Charles M. Morgan of No. 227 Columbus avenue, who says he is employed by the Universal Taxicab Company but who wears the livery of the Hotel Knickerbocker and who is the official auto starter of the hotel, was today fined \$10 for disorderly conduct by Magistrate Cornell in the Jefferson Market Court.

His conviction on the technical disorderly conduct charge followed a long trial instituted by Edgar F. Lawson, a wealthy manufacturer, and leading through police channels straight up to the office of Commissioner Waldo himself.

Three weeks ago Lawson started to leave the hotel by the Forty-second street entrance, before which a long line of taxis owned by the Universal Company—bears in brass letters "H. K." across the face of their radiators—is always drawn. Lawson hailed an independent taxi that was passing and tried to get into it.

When, according to his testimony before the Magistrate today, Morgan, the starter, grabbed his taxi, threw it in the seat of one of the hotel stand taxis and ordered Lawson to get in.

SAYS HE WAS ABUSED BY TAXICAB STARTER.

He had to rescue his bag by force, and when he took the free-lance taxi he was subject to the abuse of the hotel starter.

When he went to the police to secure the arrest of the starter he was shunted from the West Forty-seventh street station to the Detective Bureau of that precinct, thence back to the West Forty-seventh street station and finally to the West Fifthteenth street. He got no action at any of the stations. He wrote to Commissioner Waldo, received no reply, and then wrote a second time, when Deputy Commissioner Dillon sent a Sergeant to escort the angry and thoroughly determined man to the Jefferson Market Court to get a summons.

Morgan admitted in court all of the allegations of Lawson, and said in explanation that because all overcharges or irregularities experienced by taxi patrons leaving the hotel were pushed onto him he endeavored to get all Knickerbocker guests into cabs of his own company so that he could check up from his own sheets any irregularities.

"It seems a question nowadays," said the Magistrate in finding Morgan, "if a citizen has the privilege of taking a cab of his own choice in front of a public building which has a cabstand concession."

PUBLICATION OF THE JURY THAT ALBERT HALL, a clerk in the Board of Aldermen, who accepted joy rides and wine dinners from the Yellow Taxicab Company, is from the district of Alderman Frank Downing. Tammany leader of the board, and is said to owe his job to Downing's influence, aroused Mr. Downing to speech today. T. S. Tammany leader of the Aldermanic Board is not given to making statements, but he felt constrained to make clear his position.

"Of the seven members of the committee," he said, "there is only one Tammany man. Go and ask Ralph Folks why we haven't had action. He is supposed to be the leader of the Republican and fusion majority and it was up to him to take action with reference to his Republican and fusion taxicab committee. I had no control over that committee."

"All I could do was to advise the one Tammany member—Alderman John J. McCann—to urge that something be done. I have also asked on the floor when the committee was going to report. Had they decided that the Tammany majority on that committee, instead of men of the present political complexion, we would have had a taxicab ordinance on the books long ago."

UPHOLDS EVENING WORLD IN ITS FIGHT.

"I have for a long time realized that the demands of The Evening World for a reduction of taxicab rates and reform in taxicab operation were just and in the public interests. I recall that I aided in putting through a measure which was thrown out by the courts. Justice Bischoff decided that the ordinance was invalid, in that one rate of fare was laid down for a horse-drawn vehicle while another rate was provided for a motor-driven vehicle."

"After that the matter was not again taken up by the Board until, at The Evening World's suggestion, another resolution was passed providing that the rate be reduced and they should be investigated. The Republican-Fusion majority named an investigating committee, giving out one place on the committee to a Tammany man."

The late Bryant Willard was made chairman of that committee. All I know about its work is what I have in the records and they show that numerous public hearings were held and that the committee met in secret session, presumably for the purpose of discussing ordinances applying to taxicabs.

"We had no voice in the selection of Willard or Grimm or any one else. So

it is fair to assume that our side of the house could not be charged with delay. As for myself—I speak only for myself—I would not care if there never was a taxicab. The horse cars are good enough for me, but I maintain that for the protection of the taxi riding public there should be some form of regulation.

"I do not care how drastic the ordinance is made, but it should be so drawn that the courts will sustain it. If our Republican-Fusion members in the Board will compel the committee to report, I will do all in my power to put a regulatory taxicab measure on the books."

\$1,000,000 FIRE LOSS; 700,000 BUSHELS OF GRAIN BURNED WITH BIG ELEVATOR

Blaze in Buffalo Also Destroys Cars and Sheds of New York Central Railroad.

BUFFALO, May 18.—The fire this afternoon destroyed the mammoth Erie elevator at Ohio and Louisiana streets, 700,000 bushels of grain, the elevator's capacity, the south end of the New York Central Railroad freight yard, a score of boxcars and the fire house of the fireboat Potter.

The loss is conservatively estimated at \$1,000,000.

The fire broke out in the tower of the grain elevator shortly before 3 o'clock, and fanned by a high wind gained with remarkable rapidity. The entire fire department was called.

The flames jumped across the Buffalo Creek, caught the New York Central freight sheds, threatening the entire elevator section along the water front. Prompt work of the firemen saved the freight sheds. The flames spread to the Lehigh Valley coal trestle across the river, but little damage was done before it was brought under control.

The eastbound flour warehouse of the Erie Railroad was also destroyed.

TWO FELL AT TELEPHONE.

One Man Dead and Another Dying Owing to Crossing of Wires.

JOHNSTOWN, Pa., May 18.—Paul Acker, a mine foreman, is dead, and Dr. C. B. Jones is dying in a hospital here, the result of an electric fire wire crossing a telephone line. Acken went to the telephone to talk and was instantly killed.

Dr. Jones was called when Acken's body was found, and unaware of the cause of death, went to the telephone to summon assistance. He was knocked senseless, and falling to retain consciousness, was taken to a hospital, where it is reported he cannot live.

BANK PENSIONS VETOED.

Sulzer Kills Bill Because Depositors Would Have to Pay Money.

ALBANY, May 18.—The Pollock bill, which would have authorized savings banks to pension officers and employees, was vetoed by Gov. Sulzer today.

"The pension of the employees of the savings banks under the terms of the measure now before me," says the Governor, "is the accumulation of the deposits of the depositors' money. This diversion of the property of the depositors should not be made without their consent."

The Governor suggests that the objects sought might be accomplished through the organization of a membership association.

Price Tells Quality Wins

Quali-Tea The Best, 35c lb.

Special Tea Very Good, 25c lb.

Duchess Coffee The Best, 31c lb.

Golden Blend Very Good, 23c lb.

The price brings you ONCE. The quality brings you AGAIN. In that way a Van Dyk Store becomes YOUR store.

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